

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

CHARLES HENSLEY MITCHELL,)	
TDCJ No. 1851936,)	
Petitioner,)	
)	
v.)	Civil No. 7:13-CV-138-O-BL
)	
WILLIAM STEPHENS, Director,)	
Texas Department of Criminal Justice,)	
Correctional Institutions Division,)	
Respondent.)	

ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

After making an independent review of the pleadings, files, and records in this case, of the Report and Recommendation of the United States Magistrate Judge, and of Petitioner's objections thereto, I am of the opinion that the findings of fact, conclusions of law, and reasons for dismissal set forth in the Report and Recommendation of the Magistrate Judge are correct and they are hereby adopted and incorporated by reference as the Findings of the Court.

The Court notes that, in his objections to the Magistrate Judge's report and recommendation, Petitioner asks the Court to order the state to provide him with free copies of his trial records in order to prepare a federal habeas petition. Indigent state prisoners are not entitled as a matter of right to copies of trial records to pursue collateral relief. *Colbert v. Beto*, 439 F.2d 1130, 1131 (5th Cir. 1971). The state is not required to furnish free copies of trial records to an indigent defendant so that he may go on a "fishing expedition" to search for possible errors at trial. *Moore v. Wainwright*, 633 F.2d 406, 409 (5th Cir. 1980).

For the foregoing reasons, the petition for writ of habeas corpus is DISMISSED without prejudice.

SO ORDERED this 19th day of November, 2013.


Reed O'Connor
UNITED STATES DISTRICT JUDGE